

**EXHIBIT A**

**HIGHLY  
CONFIDENTIAL**

**ATTORNEYS EYES  
ONLY**

**FILED UNDER SEAL**

# EXHIBIT B

Bergeson, LLP

Verigy v. Romi Mayder, et al  
C07-04330 RMW (HRL)  
 September 28, 2007

## SECOND AMENDED PRIVILEGE LOG OF VERIGY

	DOC ID NO.	DATE	DOC TYPE	FROM	TO	CC	SUBJECT	DESCRIPTION	PRIVILEGE
1.	PRIV0001- PRIV0002	07/20/07	Email	Ken Siegel	Heather Flick	Mindy Morton, Gayn Erickson, Robert Pochowski	Discussions regarding meeting.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE
2.	PRIV0003- PRIV0005	07/20/07	Email	Ken Siegel	Heather Flick	Mindy Morton, Gayn Erickson, Robert Pochowski	Discussions regarding meeting.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE
3.	PRIV0006- PRIV0009	08/06/07	Email	Heather Flick	Mindy Morton		Discussions regarding agreement.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE
4.	PRIV0010- PRIV0011	08/10/07	Email	Heather Flick	Mindy Morton		Discussions regarding agreement.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE
5.	PRIV0012- PRIV0018	08/10/07	Email	Heather Flick	Mindy Morton		Discussions regarding agreement.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE
6.	PRIV0019- PRIV0025	08/11/07	Email	Heather Flick	Mindy Morton	Heather Flick	Discussions regarding agreement.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE
7.	PRIV0026- PRIV0033	08/11/07	Email and attachment	Robert Pochowski	Mindy Morton	John Fowler, Heather Flick, Robert Pochowski	Discussions regarding agreement.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE

	DOC ID NO.	DATE	DOC TYPE	FROM	TO	CC	SUBJECT	DESCRIPTION	PRIVILEGE
8.	PRIV0034	08/11/07	Email	Robert Pochowski	Mindy Morton	Robert Pochowski	Discussions regarding discovery requests.	Correspondence with counsel.	ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE  COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
9.	PRIV0035	08/13/07	Email	Robert Pochowski	Mindy Morton, Robert Pochowski		Discussions regarding discovery requests.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
10.	PRIV0036- PRIV0041	08/14/07	Email and attachment	Heather Flick	Mindy Morton	Robert Pochowski	Discussions regarding declaration.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
11.	PRIV0042- PRIV0043	08/14/07	Email	Heather Flick	Mindy Morton	Joseph Ehrlich	Discussions regarding declaration.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
12.	PRIV0044	08/14/07	Email	Heather Flick	Mindy Morton		Discussions regarding declaration.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
13.	PRIV0045- PRIV0048	08/14/07	Email	Robert Pochowski	Mindy Morton, Heather Flick	Joseph Ehrlich, John Fowler, Robert Pochowski	Discussions regarding declaration.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE

	DOC ID NO.	DATE	DOC TYPE	FROM	TO	CC	SUBJECT	DESCRIPTION	PRIVILEGE
14.	PRIV0049	08/14/07	Email	Robert Pochowski	Mindy Morton	Joseph Ehrlich, John Fowler, Heather Flick, Robert Pochowski	Discussions regarding discovery requests.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
15.	PRIV0050- PRIV0059	08/14/07	Email and attachment	Robert Pochowski	Mindy Morton, Heather Flick	Joseph Ehrlich, John Fowler	Discussions regarding declaration.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
16.	PRIV0060- PRIV0061	08/30/07	Email	Heather Flick	Mindy Morton	John Fowler, Joseph Ehrlich	Discussions regarding deposition.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE
17.	PRIV0062- PRIV0064	08/30/07	Email	Heather Flick	Mindy Morton	John Fowler, Joseph Ehrlich	Discussions regarding deposition.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE
18.	PRIV0065- PRIV0066	08/31/07	Email	Heather Flick	Mindy Morton	Joseph Ehrlich	Discussions regarding deposition.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE
19.	PRIV0067- PRIV0075	09/11/07	Email and attachment	Joseph Ehrlich	Mindy Morton	Robert Pochowski, Heather Flick	Discussions regarding discovery requests.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
20.	PRIV0076- PRIV0079	09/13/07	Email and attachment	John Fowler	Joseph Ehrlich	Mindy Morton Shauna Walker	Discussions regarding agreement.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE

	DOC ID NO.	DATE	DOC TYPE	FROM	TO	CC	SUBJECT	DESCRIPTION	PRIVILEGE
21.	PRIV0080- PRIV0089	09/14/07	Email and attachment	Joseph Ehrlich	Mindy Morton, John Fowler Heather Flick		Discussions regarding discovery requests.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
22.	PRIV0090	07/20/07	Email	Ken Siegel	Robert Pochowski	Gayn Erickson	Discussions regarding Verigy documents.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE
23.	PRIV0091- PRIV0093	07/20/07	Email	Heather Flick	Ken Siegel	Mindy Morton, Gayn Erickson, Robert Pochowski	Discussions regarding meeting.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE
24.	PRIV0094	07/24/07	Email	Ken Siegel	Heather Flick	Mindy Morton	Discussions regarding information needed.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE
25.	PRIV0095	07/26/07	Email	Heather Flick	Ken Siegel	Mindy Morton, Robert Pochowski	Discussions regarding agreement.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE
26.	PRIV0096- PRIV0101	08/09/07	Email and attachment	Heather Flick	Mindy Morton		Discussions regarding agreement.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
27.	PRIV0102	08/16/07	Fax	Robert Pochowski	Mindy Morton		Discussions regarding discovery requests.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE
28.	Communications between Verigy and Bergeson	06/29/07 to present	Email, mail, fax	Verigy employees	Bergeson		Discussions regarding Legal Advice	Correspondence with counsel.	ATTORNEY-CLIENT PRIVILEGE ATTORNEY WORK PRODUCT
29.	Communications between Bergeson	06/29/07 to present	Email, mail, fax	Bergeson	Verigy employees		Discussions regarding Legal Advice	Correspondence with counsel.	ATTORNEY-CLIENT PRIVILEGE

	DOC ID NO.	DATE	DOC TYPE	FROM	TO	CC	SUBJECT	DESCRIPTION	PRIVILEGE
	and Verigy								ATTORNEY WORK PRODUCT
30.	PRIV0103- PRIV0105	09/21/07	Agreement	Verigy	Robert Pochowski		Discussions regarding agreement.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
31.	PRIV0106	09/26/07	Letter	Lara Brosiko	Robert Pochowski	Joseph Ehrlich	Discussions regarding discovery requests.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE
32.	PRIV0107	08/29/07	Email	Mindy Morton	Heather Flick	John Fowler	Discussions regarding deposition.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE
33.	PRIV0108- PRIV0124	08/30/07	Email and attachment	Mindy Morton	Heather Flick	John Fowler, Joseph Ehrlich	Discussions regarding deposition.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
34.	PRIV0125- PRIV0127	08/30/07	Email	Mindy Morton	Heather Flick		Discussions regarding deposition.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE
35.	PRIV0128- PRIV0129	08/31/07	Email	Mindy Morton	Heather Flick		Discussions regarding deposition.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE
36.	PRIV0130- PRIV0131	08/30/07	Email	Mindy Morton	Heather Flick	John Fowler, Joseph Ehrlich	Discussions regarding deposition.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE
37.	PRIV0132- PRIV0148	09/05/07	Email and attachment	Mindy Morton	Heather Flick	Joseph Ehrlich	Discussions regarding deposition.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE

DOC ID NO.	DATE	DOC TYPE	FROM	TO	CC	SUBJECT	DESCRIPTION	PRIVILEGE
38.								PRIVILEGE WORK PRODUCT DOCTRINE
	09/11/07	Email	Mindy Morton	Joseph Ehrlich		Discussions regarding discovery requests.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
39.								COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
	09/12/07	Email	Mindy Morton	Joseph Ehrlich		Discussions regarding discovery requests.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
40.								COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
	09/12/07	Email	Mindy Morton	Joseph Ehrlich	John Fowler, Shauna Walker, Mindy Morton	Discussions regarding protective order.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
41.								COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
	09/12/07	Email	John Fowler	Gail Simmons, Joseph Ehrlich,	Shauna Walker, Mindy Morton	Discussions regarding deposition.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
42.								COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
	09/13/07	Email	John Fowler	Joseph Ehrlich	Mindy Morton, Lara Brostko, Shauna Walker	Discussions regarding discovery requests.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
43.								COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
	09/14/07	Email and attachment	Shauna Walker	Joseph Ehrlich	John Fowler, Mindy Morton	Discussions regarding agreement.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
44.								COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
	09/19/07	Email	John Fowler	Joseph Ehrlich		Discussions regarding agreement.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE

DOC ID NO.	DATE	DOC TYPE	FROM	TO	CC	SUBJECT	DESCRIPTION	PRIVILEGE
45. PRIV0177-PRIV0187	09/19/07	Email and attachment	Heather Flick	Mindy Morton	Joseph Ehrlich	Discussions regarding discovery requests.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
46. PRIV0188-PRIV0198	09/19/07	Email and attachment	Heather Flick	Mindy Morton	Joseph Ehrlich	Discussions regarding discovery requests.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
47. PRIV0199	09/19/07	Email	Mindy Morton	Heather Flick	Kris Haworth	Discussions regarding discovery requests.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
48. PRIV0200	09/19/07	Email	Mindy Morton	Heather Flick	Kris Haworth	Discussions regarding expert.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
49. PRIV0201	09/19/07	Email	Heather Flick	Mindy Morton		Discussions regarding discovery requests.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE
50. PRIV0202	09/19/07	Email	Heather Flick	Mindy Morton	Joseph Ehrlich	Discussions regarding discovery requests.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
51. PRIV0203-PRIV0204	09/19/07	Email	Mindy Morton	Heather Flick	Joseph Ehrlich	Discussions regarding discovery requests.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE

	DOC ID NO.	DATE	DOC TYPE	FROM	TO	CC	SUBJECT	DESCRIPTION	PRIVILEGE
52.	PRIV0205	09/19/07	Email	Heather Flick	Mindy Morton	Joseph Ehrlich	Discussions regarding discovery requests.	Correspondence with counsel.	WORK PRODUCT DOCTRINE COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
53.	PRIV0206	09/19/07	Email	Heather Flick	Mindy Morton	Joseph Ehrlich	Discussions regarding discovery requests.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
54.	PRIV0207- PRIV0208	09/19/07	Email	Mindy Morton	Heather Flick	Joseph Ehrlich	Discussions regarding discovery requests.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
55.	PRIV0209	09/19/07	Email	Heather Flick	Mindy Morton	Joseph Ehrlich	Discussions regarding discovery requests.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
56.	PRIV0210- PRIV0211	09/19/07	Email	Heather Flick	Mindy Morton	Joseph Ehrlich	Discussions regarding discovery requests.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
57.	PRIV0212- PRIV0213	09/19/07	Email	Mindy Morton	Heather Flick		Discussions regarding discovery requests.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE

DOC ID NO.	DATE	DOC TYPE	FROM	TO	CC	SUBJECT	DESCRIPTION	PRIVILEGE
58.	09/19/07	Email	Heather Flick	Mindy Morton		Discussions regarding discovery requests.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
59.	09/19/07	Email	Mindy Morton	Heather Flick		Discussions regarding discovery requests.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
60.	09/20/07	Email	Heather Flick	Mindy Morton	Joseph Ehrlich, Heather Flick	Discussions regarding discovery requests.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
61.	09/20/07	Email	Heather Flick	Robert Pochowski, Joseph Ehrlich	Mindy Morton, John Fowler	Discussions regarding deposition.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE
62.	09/20/07	Email	Heather Flick	Robert Pochowski, Joseph Ehrlich	Mindy Morton, John Fowler	Discussions regarding deposition.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE
63.	09/20/07	Email	Heather Flick	Joseph Ehrlich	Mindy Morton, John Fowler, Michael Stebbins	Discussions regarding discovery requests.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
64.	09/20/07	Email	Heather Flick	Mindy Morton, John Fowler, Michael Stebbins	Joseph Ehrlich	Discussions regarding discovery requests.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE

DOC ID NO.	DATE	DOC TYPE	FROM	TO	CC	SUBJECT	DESCRIPTION	PRIVILEGE
65. PRIV0025- PRIV00234	09/20/07	Email and attachment	Michael Stebbins	Heather Flick, Joseph Ehrlich	Mindy Morton, John Fowler	Discussions regarding discovery requests.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
66. PRIV00235- PRIV00246	09/21/07	Email and attachment	Mindy Morton	Heather Flick, Joe Ehrlich	John Fowler	Discussions regarding discovery requests.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
67. PRIV00247	09/23/07	Email	Heather Flick	Mindy Morton	Joseph Ehrlich, Heather Flick	Discussions regarding discovery requests.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
68. PRIV00248- PRIV00249	09/23/07	Email	Heather Flick	Mindy Morton	Joseph Ehrlich, Heather Flick	Discussions regarding deposition.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE

DOC ID NO.	DATE	DOC TYPE	FROM	TO	CC	SUBJECT	DESCRIPTION	PRIVILEGE
69. PRIV0250- PRIV0251	09/24/07	Email	Joseph Ehrlich	Mindy Morton, Heather Flick		Discussions regarding deposition.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE
70. PRIV0252	09/24/07	Email	Mindy Morton	Joseph Ehrlich, Heather Flick		Discussions regarding privilege log.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
71. PRIV0253- PRIV0254	09/24/07	Email	Joseph Ehrlich	Mindy Morton	Heather Flick	Discussions regarding privilege log.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
72. PRIV0255	09/25/07	Email	Mindy Morton	Joseph Ehrlich, Heather Flick	John Fowler	Discussions regarding discovery requests.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
73. PRIV0256- PRIV0257	09/25/07	Email	John Fowler	Mindy Morton, Heather Flick, Joseph Ehrlich		Discussions regarding discovery requests.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
74. PRIV0258	09/26/07	Email	John Fowler, Mindy Morton	Robert Pochowski, Heather Flick		Discussions regarding discovery requests.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
75. PRIV0259	09/26/07	Email	Mindy Morton	Joseph Ehrlich		Discussions regarding discovery requests.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE

	DOC ID NO.	DATE	DOC TYPE	FROM	TO	CC	SUBJECT	DESCRIPTION	PRIVILEGE
76.	PRIV0260	09/26/07	Email	Joseph Ehrlich	Mindy Morton, John Fowler	Robert Pochowski, Heather Flick	Discussions regarding discovery requests.	Correspondence with counsel.	WORK PRODUCT DOCTRINE COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
77.	PRIV0261- PRIV0262	09/26/07	Email	Robert Pochowski	Joseph Ehrlich, Robert Pochowski	John Fowler, Heather Flick, Mindy Morton	Discussions regarding discovery requests.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
78.	PRIV0263- PRIV0264	09/26/07	Email	Joseph Ehrlich	Robert Pochowski	John Fowler, Heather Flick, Mindy Morton	Discussions regarding discovery requests.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
79.	PRIV0266- PRIV0267	10/15/07	Email	Heather Flick	Mindy Morton	Joseph Ehrlich, Robert Pochowski	Discussions regarding declaration.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
80.	PRIV0268- PRIV0269	10/16/07	Email	Heather Flick	Mindy Morton, Robert Pochowski	John Fowler	Discussions regarding declaration.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
81.	PRIV0270- PRIV0271	10/18/07	Email	Heather Flick	Mindy Morton		Discussions regarding declaration.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE

DOC ID NO.	DATE	DOC TYPE	FROM	TO	CC	SUBJECT	DESCRIPTION	PRIVILEGE
82.	10/19/07	Email	Robert Pochowski	Mindy Morton, Heather Flick, Joseph Ehrlich		Discussions regarding declaration.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
83.	10/19/07	Email	Robert Pochowski	Mindy Morton		Discussions regarding declaration.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
84.	10/23/07	Email	Heather Flick	Mindy Morton		Discussions regarding discovery requests.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
85.	10/26/07	Email	Heather Flick	Mindy Morton	Joseph Ehrlich, John Fowler	Discussions regarding declaration.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
86.	10/31/07	Email and attachment	Heather Flick	Mindy Morton, John Fowler	Joseph Ehrlich, Robert Pochowski, Richelle Gullion	Discussions regarding declaration.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
87.	11/06/07	Email	Heather Flick	Mindy Morton, Joseph Ehrlich, Robert Pochowski	John Fowler	Discussions regarding declaration.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE

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88.	PRIV0284- PRIV0285	11/06/07	Email	Heather Flick	Mindy Morton		Discussions regarding deposition.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE
89.	PRIV0286- PRIV0288	11/07/07	Email	Joseph Ehrlich	Mindy Morton, Heather Flick, Robert Pochowski		Discussions regarding declaration.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
90.	PRIV0290- PRIV0292	11/07/07	Email	Heather Flick	Mindy Morton, Robert Pochowski	Joseph Ehrlich, John Fowler	Discussions regarding declaration.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
91.	PRIV0293- PRIV0294	11/12/07	Email	Heather Flick	Mindy Morton, Robert Pochowski, Joseph Ehrlich		Discussions regarding declaration.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
92.	PRIV0295- PRIV0296	11/13/07	Email and attachments	Heather Flick	Mindy Morton	Joseph Ehrlich, John Fowler, Robert Pochowski	Discussions regarding declaration.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
93.	PRIV0299- PRIV0300	11/13/07	Email	Robert Pochowski	Mindy Morton, Heather Flick, Joseph Ehrlich	Robert Pochowski	Discussions regarding deposition.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE
94.	PRIV0301- PRIV0302	11/15/07	Email	Heather Flick	Mindy Morton	Joseph Ehrlich, Robert Pochowski	Discussions regarding discovery requests.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE

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95.	PRIV0303- PRIV0304	11/15/07	Email and attachments	Heather Flick	Mindy Morton		Discussions regarding declaration.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
96.	PRIV0305- PRIV0307	11/15/07	Email	Heather Flick	Mindy Morton		Discussions regarding declaration.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
97.	PRIV0308- PRIV0309	11/15/07	Email	Heather Flick	Mindy Morton		Discussions regarding declaration.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
98.	PRIV0310	11/15/07	Email	Robert Pochowski	Mindy Morton		Discussions regarding declaration.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
99.	PRIV0311- PRIV0313	11/15/07	Email and attachment	Robert Pochowski	Mindy Morton		Discussions regarding declaration.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE
100.	PRIV0314- PRIV0315	12/17/07	Email	Heather Flick	Mindy Morton		Discussions regarding case update.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE
101.	PRIV0325	05/14/08	Email	Mindy Morton	Heather Flick		Discussions regarding patent applications.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE

	DOC ID NO.	DATE	DOC TYPE	FROM	TO	CC	SUBJECT	DESCRIPTION	PRIVILEGE
102.	PRIV0326- PRIV0327	05/14/08	Email	Heather Flick	Mindy Morton		Discussions regarding patent applications.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE
103.	PRIV0328- PRIV0329	05/14/08	Email	Mindy Morton	Heather Flick		Discussions regarding case update.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE
104.	PRIV0330	05/17/08	Email	Robert Pochowski	Mindy Morton		Discussion regarding meeting.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE
105.	PRIV0331	05/19/08	Email	Mindy Morton	Robert Pochowski		Discussion regarding meeting.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE
106.	PRIV0332	05/19/08	Email	Mindy Morton	Robert Pochowski		Discussion regarding meeting.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE
107.	PRIV0333	05/19/08	Email and attachment	Mindy Morton	Robert Pochowski		Discussion regarding patent.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE
108.	PRIV0334- PRIV0335	05/21/08	Email	Heather Flick	Mindy Morton		Discussions regarding patent applications.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE
109.	PRIV0336- PRIV0338	05/21/08	Email	Mindy Morton	Heather Flick		Discussions regarding declaration.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE

	DOC ID NO.	DATE	DOC TYPE	FROM	TO	CC	SUBJECT	DESCRIPTION	PRIVILEGE
110.	PRIV0339	05/22/08	Email	Robert Pochowski	Mindy Morton	Robert Pochowski	Discussion regarding agreement.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE
111.	PRIV0340	05/22/08	Email	Mindy Morton	Robert Pochowski		Discussion regarding agreement.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE
112.	PRIV0341	06/06/08	Email	Mindy Morton	Robert Pochowski		Discussion regarding meeting.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE
113.	PRIV0342	06/06/08	Email	Robert Pochowski	Mindy Morton		Discussion regarding meeting.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE
114.	PRIV0343- PRIV0344	06/06/08	Email	Mindy Morton	Robert Pochowski		Discussion regarding meeting.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE
115.	PRIV0345	06/09/08	Email	Robert Pochowski	Mindy Morton		Discussion regarding discovery requests.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
116.	PRIV0346	06/18/08	Email and attachment	Mindy Morton	Heather Flick, Robert Pochowski	Michael Stebbins, Gail Simmons	Discussions regarding declaration.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE

	DOC ID NO.	DATE	DOC TYPE	FROM	TO	CC	SUBJECT	DESCRIPTION	PRIVILEGE
117.	PRIV0347- PRIV0348	06/19/08	Email	Joseph Ehrlich	Mindy Morton	Heather Flick, Robert Pochowski	Discussions regarding declaration	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
118.	PRIV0349- PRIV0351	06/19/08	Email	Mindy Morton	Joseph Ehrlich	Michael Stebbins, Heather Flick, Robert Pochowski	Discussions regarding declaration.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
119.	PRIV0352- PRIV0354	06/23/08	Email	Robert Pochowski	Joseph Ehrlich	Mindy Morton, Heather Flick, Robert Pochowski	Discussion regarding declaration.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
120.	PRIV0355- PRIV0357	06/23/08	Email	Joseph Ehrlich	Mindy Morton	Heather Flick, Robert Pochowski	Discussions regarding declaration	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
121.	PRIV0358	07/10/08	Email	Mindy Morton	Joseph Ehrlich, Heather Flick	Gail Simmons	Discussions regarding declaration.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
122.	PRIV0359	07/10/08	Email	Heather Flick	Joseph Ehrlich, Mindy Morton	Gail Simmons	Discussions regarding declaration.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE

DOC ID NO.	DATE	DOC TYPE	FROM	TO	CC	SUBJECT	DESCRIPTION	PRIVILEGE
123. PRIV0360- PRIV0361	07/10/08	Email	Mindy Morton	Joseph Ehrlich, Heather Flick	Gail Simmons	Discussions regarding declaration.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
124. PRIV0362- PRIV0363	07/10/08	Email	Heather Flick	Mindy Morton		Discussions regarding declaration.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
125. PRIV0364- PRIV0366	07/10/08	Email	Mindy Morton	Heather Flick		Discussions regarding declaration.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
126. PRIV0367	07/15/08	Email	Mindy Morton	Joseph Ehrlich, Heather Flick	Gail Simmons	Discussions regarding declaration.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
127. PRIV0368	07/15/08	Email	Heather Flick	Mindy Morton		Discussions regarding declaration.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
128. PRIV0369	07/16/08	Email	Mindy Morton	Joseph Ehrlich, Heather Flick	Gail Simmons	Discussions regarding declaration.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE

DOC ID NO.	DATE	DOC TYPE	FROM	TO	CC	SUBJECT	DESCRIPTION	PRIVILEGE
129. PRIV0370	07/16/08	Email	Heather Flick	Mindy Morton	Joseph Ehrlich	Discussions regarding declaration.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
130. PRIV0371- PRIV0372	07/16/08	Email	Mindy Morton	Heather Flick		Discussions regarding declaration.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
131. PRIV0373- PRIV0374	07/16/08	Email	Heather Flick	Mindy Morton		Discussions regarding declaration.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
132. PRIV0375- PRIV0377	07/16/08	Email	Mindy Morton	Heather Flick		Discussions regarding declaration.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
133. PRIV0378	07/17/08	Email	Susan Romero	Robert Pochowski, Mindy Morton	Heather Flick	Discussions regarding declaration.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
134. PRIV0379	07/17/08	Email	Mindy Morton	Robert Pochowski	Heather Flick	Discussions regarding declaration.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
135. PRIV0380	07/17/08	Email	Mindy Morton	Robert Pochowski, Susan Romero	Heather Flick	Discussions regarding declaration.	Correspondence with counsel.	COMMON INTEREST DOCTRINE

	DOC ID NO	DATE	DOC TYPE	FROM	TO	CC	SUBJECT	DESCRIPTION	PRIVILEGE
136.	PRIV0381	07/25/08	Email	Michael Stebbins	Heather Flick	Mindy Morton, Gail Simmons, John Fowler.	Discussions regarding common interest doctrine.	Correspondence with counsel.	ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE
137.	PRIV0382- PRIV0383	07/25/08	Email	Heather Flick	Michael Stebbins	Mindy Morton, Gail Simmons, John Fowler, Joseph Ehrlich	Discussions regarding common interest doctrine.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE
138.	PRIV0384- PRIV0385	07/25/08	Email	Joseph Ehrlich	Michael Stebbins, Heather Flick	Mindy Morton, Gail Simmons, John Fowler	Discussions regarding common interest doctrine.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE
139.	PRIV0386- PRIV0389	07/25/08	Email	Michael Stebbins	Heather Flick, Joseph Ehrlich	Mindy Morton, Gail Simmons, John Fowler.	Discussions regarding common interest doctrine.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE
140.	PRIV0390- PRIV0391	07/28/08	Email and attachments	Joseph Ehrlich	John Fowler, Mindy Morton	Heather Flick, Robert Pochowski	Discussions regarding discovery requests.	Correspondence with counsel.	COMMON INTEREST DOCTRINE ATTORNEY-CLIENT PRIVILEGE WORK PRODUCT DOCTRINE

# EXHIBIT C

**Michael Stebbins**

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**From:** Tim Hale [THale@computerlaw.com]  
**Sent:** Wednesday, August 27, 2008 5:50 AM  
**To:** Michael Stebbins  
**Cc:** Colin McCarthy; Gail C. Simmons; John Fowler; Mindy Morton; JOHN KELLEY; Lucy Goodnough  
**Subject:** Defendants' motion to compel re: common interest doctrine

Michael,

1. That is not my recollection at all; we started the meet and confer call on the issue of whether we could resolve the issue of whether there even could be a common interest, and we both acknowledged that there was no resolution that way;
2. You stated that you would be addressing our SECOND concern, namely the adequacy of the descriptions on the privilege log; we waited to get your amended log, and then did not pursue that issue in the motion, so that part was ostensibly resolved between the parties;
3. I mentioned to you just the other day that we were filing a motion to compel on this issue; you did not act surprised or say anything about needing or wanting to further meet and confer;
4. If Verigy wants to withdraw any documents from the privilege log and produce them instead it can certainly do that now before filing its opposition.

Tim

>>> "Michael Stebbins" <MStebbins@be-law.com> 8/26/2008 11:47 PM >>>  
Tim:

We see that you've filed a motion to compel on the documents being withheld on the basis of the common interest doctrine. This comes as a surprise since, as discussed in our meet and confer call on August 5, we provided you with an updated and revised privilege log (on August 8, I believe), with the understanding that you'd get back to us and we'd have further discussion about particular documents that you had questions about. You never got back to us, so it seems to us that we've not met and conferred as required prior to filing a motion to compel.

Perhaps this is set forth in the motion (which I've not fully digested), but shouldn't there be some follow up about specific documents as we'd discussed?

Michael W. Stebbins, Esq.  
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San Jose, CA 95110  
Telephone: 408 291-6200 Main  
Telephone: 408 291-6207 Direct  
Facsimile: 408 297-6000

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